

By: Senator(s) Suber, Tate, McLendon

To: Wildlife, Fisheries and
Parks; Judiciary, Division BSENATE BILL NO. 2651
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DESCRIPTION OF THE OFFENSE OF TRESPASSING TO HUNT,
3 FISH, SHOOT OR TRAP; TO SUBSTITUTE THE REQUIREMENT OF THE
4 OFFENDER'S KNOWLEDGE OF THE TRESPASS FOR THE REQUIREMENT OF A
5 PRIOR WARNING NOT TO TRESPASS; TO CLASSIFY VIOLATIONS AS
6 MISDEMEANORS PUNISHABLE AS PROVIDED IN SECTION 97-17-93 FOR
7 WILLFUL OR MALICIOUS TRESPASS; TO IMPOSE OTHER PENALTIES AND
8 ADMINISTRATIVE FEES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 49-7-79, Mississippi Code of 1972, is
11 amended as follows:

12 49-7-79. (1) It shall be unlawful for a person to knowingly
13 enter the lands of another without the permission of or without
14 being accompanied by the landowner or the lessee of the land, or
15 the agent of such landowner or lessee, to hunt, fish, shoot * * *
16 or trap * * * on the lands or leases of another * * *.

17 (2) A violation of subsection (1) of this section shall be a
18 misdemeanor punishable as provided in Section 97-17-93.

19 (3) A second or subsequent violation of subsection (1) of
20 this section shall also require forfeiture of all hunting,
21 trapping and fishing privileges for a period of one (1) year. A



22 violator shall pay a reinstatement fee of Five Hundred Dollars
23 (\$500.00) to have his privileges restored.

24 (4) Any fish, wildlife or parts thereof that have been
25 unlawfully taken or possessed by means of a violation of
26 subsection (1) of this section shall be seized by the law
27 enforcement officer and disposed of by the department, or under
28 its direction.

29 (5) In addition to any other fines or penalties, a person
30 convicted of a violation of subsection (1) of this section shall
31 be assessed an administrative fee of not less than One Hundred
32 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for
33 each animal, bird, fish or part thereof taken or possessed by
34 means of such violation.

35 (6) The clerk of the court shall collect and deposit the
36 administrative fee with the State Treasurer.

37 (7) The administrative fee shall be credited to the
38 department, which may expend it upon appropriation by the
39 Legislature.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2024, and shall stand repealed on June 30, 2024.

